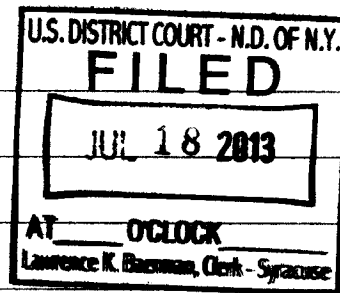


June 17, 2013

Case 5:11-cr-00602-GTS

(6 pages total) Re US vs Jenkins



Joseph Jenkins

7445 County House Rd

Guburn, NY 13021

Defense Documents

In support of previous filings, submitted under prejudice.

(attached 1, 2, 3, 4, 5)

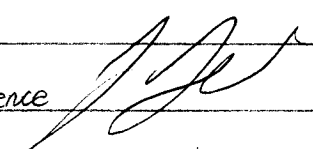
I'm submitting selected documents obtained recently. I'm withholding certain pages for privacy. I will produce them in person but do not wish to have them on the court docket at this time, as I feel this whole matter is no business of the US Government.

I will testify I have the originals and that they are (1) attested to by an authorized persons of the Ontario Court of Justice in Canada (2) Bear the ^(Raised) stamped impression and seal and are dated May 28, 2013.

These documents confirm previous statements such as (1) No finding of guilt in the matter (2) I did show up on my trial date (3) No further action was taken by the Canadian Court since October 22, 2010 (4) Council Appeared on my behalf on October 18, 2010.

Notes:

Further documentation in the governments possession will show (1) No forensic analysis was completed, ever (2) Evidence was lost (3) I was detained by US agents upon returning from personal appearances in Court for many, many hours (4) US agents have been involved since May 25, 2009 (5) Evidence was not released from this proceeding by (a) myself (b) Judge (6) Basically the US is an unauthorized third party in possession of illegally obtained evidence. Canadian Laws require evidence be returned to owner, on all of their documents.


 Joseph Jenkins

**APPEARANCES - ADJOURNMENTS
COMPARUTIONS - AJOURNEMENTS**

Page "A"

Date Date	Accused Accusé(s)	Adjournment Ajournement	Parties Consent Consentement des parties	Appearance Details Détails de la comparution	Counsel as Agent Avocat(e) mandataire	Fails to Appear Omet de comparaître	Bench Warrant Mandat du tribunal	Discretion Discretion	Certificate of Default Certificat de défaut
MAY 25 2009	1/c	26 May 09		2pm #1					
MAY 26 2009	BG	June 19-09		9 TBST					
JUN 19 2009	np des -	July 3-09		PT # 4					
JUL 03 2009	np	30 Oct 09		9am TBST	S3				
OCT 30 2009	np - ADJ. -	Nov. 27 09		@ 9am #1	ST S3				
NOV 27 2009	np - ADJ. -	JAN. 8/10		@ 9am #1	ST S1				
JAN 08 2010	np - ADJ. -	FEB. 5/10		@ 9am #1	ST S1				
FEB 05 2010	np - ADJ. -	SEP. 13/10		@ 10am #2 1/2 DAY	TR S7				
SEP 03 2010	np	Sept 13-10		Application hearing #2					
SEP 13 2010	ip - ADJ. -	OCT. 18/10		@ 10am #2 TR					
		SEPT. 17/10		@ 10am #3 DECISION ON 11(b)					
SEP 17 2010	ip	Oct 18/10		10am #2 1/2 day trial					
				11b denied					
OCT 18 2010	np - pgd.	3x - BW		NOT ENDORSED					
OCT 22 2010		last estimated							

Date Date	Clerk Greffier	Reporter Sténographe	For Crown Pour la Couronne	For Accused Pour l'accusé(s)	Justice's Initials Initiales du juge
MAY 25 2009	TC	MB	Bonson	DIC	JC
MAY 26 2009	LL	MB	Furland	DC	JD
JUN 19 2009	LL	GN	Clarke	Edgley	JD
JUL 03 2009	TC	GN	Clark	Edgley/Co	JC
OCT 30 2009	MB	EG	CLARKE	EDGLEY	WS
OV 27 2009	MB	KD	CLARKE	EDGLEY	KG
JAN 08 2010	MB	MB	CLARKE	EDGLEY	JD
FEB 05 2010	MB	GN	CLARKE	EDGLEY	WS
SEP 03 2010	AG / MB	MB	Legrand	Edgley	JDW
SEP 13 2010	MB	MR	CLARKE / (BREAU)	EDGLEY	JDW
EP 17 2010	AG / MB	MR	Legrand	Edgley	JDW
OCT 18 2010	MB	KD	TIPPINS	EDGLEY	JDW
OCT 22 2010	MB	MB	Tippins	Edgley	B.S.

Accused / Accusé(s)

Notice Given Under H.T.A.
Avis en vertu du Code de la route

☐ Suspension
Suspension

☐ Impoundment
Mise en fourrière

Judge / Juge

**APPEARANCES - ADJOURNMENTS
COMPARUTIONS - AJOURNEMENTS**

Page "A"

Date Date	Accused Accusé(e)	Adjournment Ajournement	Parties Consent Consentement des parties	Appearance Details Détails de la comparution	Counsel as Agent Avocat(e) mandataire	Fails to Appear Omis de comparaître	Bench Warrant Mandat du tribunal	Discretion Discretion	Certificate of Default Certificat de défaut
MAY 25 2009	11C	26 May 09		2pm #1	ca	w/q			
MAY 26 2009	BG	June 19-09		9 TBST					
JUN 19 2009	np des	July 3-09		Pt # 4					
JUL 03 2009	np	30 Oct 09		9am TBST	S3				
OCT 30 2009	np - ADJ. -	Nov. 27/09		@ 9am #1 ST	S3				
NOV 27 2009	np - ADJ. -	JAN. 8/10		@ 9am #1 ST	S1				
JAN 08 2010	np - ADJ. -	FEB. 5/10		@ 9am #1 ST	S1				
FEB 05 2010	np - ADJ. -	SEP. 13/10		@ 10 am #2 1/2 DAY TR ST					
SEP 03 2010	np	18 oct 10		trial #2 c 10:00					
SEP 13 2010	charter → ip - ADJ. -	13 Sept 10 application hearing		#2 c 10:00					
		OCT. 18/10		@ 10 am #2 TR					
		SEPT. 17/10		@ 10 am #3 DECISION ON 11(b)					
SEP 17 2010	np	Oct 18/10		10am #2 1/2 day trial					
				11b denied					
OCT 18 2010	np - pgl 3x	- BW		not endorsed					

Date Date	Clerk Greffier	Reporter Sténographe	For Crown Pour la Couronne	For Accused Pour l'accusé(e)	Justice's Initials Initiales du juge
MAY 25 2009	TC	MB	Benson	DIC	JC
MAY 26 2009	LD	MB	Ferland	De	JD
JUN 19 2009	✓	Gn	Clarke	Edgley	L
JUL 03 2009	TC	ON	Clarke	Edgley coa	JC
OCT 30 2009	MB	EG	CLARKE	EDGLEY	WS
NOV 27 2009	MB	KD	CLARKE	EDGLEY	KG
JAN 08 2010	MB	MB	CLARKE	EDGLEY	JD
FEB 05 2010	MB	Gn	CLARKIE	EDGLEY	WS
SEP 03 2010	AG / MB	MR	Legrand	Edgley coa	JDW
SEP 13 2010	MB	MR	CLARKE / BREAU	EDGLEY	JDW
SEP 17 2010	AG / SD	MR	Legrand	Edgley	JDW
OCT 18 2010	MB	KD	TIPPINS	EDGLEY	JDW

Accused / Accusé(e)

Notice Given Under H.P.A.
Avis en vertu du Code de la route

Suspension

Mise en fourrière

Page "A"

[illegible]

At the Bail Review dated : _____, 515(9.1) was ☐ confirmed ☐ rescinded ☐ Made (see application)
 Au moment de la révision du cautionnement, le : _____, 515 (9.1) a été ☐ confirmé ☐ révoqué ☐ exécuté (voir la requête)

His Worship Jack Chiang
Ontario Court of Justice
Justice of the Peace / Juge de paix

Date	Crown Elects to Proceed	<input type="checkbox"/>	Summarily	<input checked="" type="checkbox"/>	By Indictment	<input type="checkbox"/>	Summary Conviction Offence(s)	<input checked="" type="checkbox"/>	Indictable Offence(s)
Date	Choix de la Couronne		Procédure		Acte d'accusation		Infraction(s) punissable(s) sur déclaration		Infraction(s) punissable(s)
	SEP 15 2010		sommaire				de culpabilité par procédure sommaire		par mise en accusation

[illegible]

☐ With consent of accused and prosecutor, without taking or recording
Avec le consentement de l'accusé(e) et du poursuivant sans recueillir ou consigner

☐ (a) any evidence (or) ☐ (b) further evidence
a) de preuve (ou) b) de preuve supplémentaire

☐ Victim Surcharge \$ _____ Time to Pay _____
Suramende compensatoire \$ *Délai de paiement*

Judge / Juge

July 13, 2013

United States

Northern District Court of New York

vs

Case 5:11-cr-00602-GTS

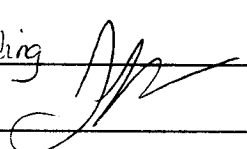
Jenkins

Defense Motion - Civil - complaint, property claims

I Joseph Jenkins, defendant in the above matter am filing a civil complaint to be considered against the above action. I claim rightful ownership to items improperly forfeited under the Canadian Customs Act 110(3) dates, but not limited to, May 23, 2009 to present. (1) Items of physical evidence in the following documents numbered 7, 8, 9, 10 in the upper right hand corner and (2) Any paperwork related to these items improperly forfeited under the Canadian Privacy Act (3) any documents and physical evidence the product of the previously mentioned, as a result of this improper forfeiture.

These items were illegally seized without a warrant in violation of my fourth amendment rights, which, in turn violated rights too numerous to mention. This seizure was conducted by Department of Homeland Security and/or Customs and Border Patrol 799 9th Street NW, Washington, DC 20229, through Alexandria Bay and Buffalo, NY offices, The department of justice, plaintiff, possibly a co-conspirator.

I demand return of these items and associated paperwork. I reserve the right to file additional claims for missing and/or damaged items. I reserve the right to file ~~to file~~ ^{additional} claims associated with the seizure (warrantless) and all damages resulting from it, including, but not limited to loss of life, liberty and property without due process of law and privacy rights. Previously mentioned items contain personal and business information confidential in nature and are irreplaceable. Items are listed on document 7.

The US Government is an Unauthorized third party, this property was obtained through a particularly offensive seizure. The government has no standing to argue otherwise. Complaint also being filed on my behalf in Canadian Court of the above mentioned acts, and property.  Joseph Jenkins

5.2009 10:07AM

CBSA INVESTIGATIONS

Canada Border
Services Agency Agence des services
frontaliers du Canada

EVIDENCE SEIZURE RECEIPT - REÇU DE SAISIE DE LA PREUVE

PROTECTED WHEN COMPLETED

Note: The information on this form is collected to enforce the law, especially as it concerns the laws relating to the importation and exportation of goods and is protected under the provisions of the Privacy Act. The form is stored in personal information bank. Customs Intelligence Records record no. CCRA PPU 016.

PROTÉGÉ LORSQUE REMPLI

Note: Les renseignements que contiennent ce formulaire sont recueillis dans le but d'appliquer la loi, principalement les lois ayant trait à l'importation et l'exportation des marchandises et sont protégés par les dispositions de la Loi sur la protection des renseignements personnels. Le formulaire est conservé dans le fichier de renseignements personnels concernant les registres de la division des renseignements n° ADRC PPU 016.

Evidence seizure no. - N° de saisie de la preuve
K19 ref. no. - N° de réf. de la K19
Office - Bureau Lansdowne
Date (Y-M-D) - (A-M-J) 2009-05-24
U.C.I. no. - N° de la LMNR

Surname - Nom de famille Jenkins	Given name - Prénom Joseph Vincent
Address - Adresse 4072 Dwyer La, Geneva, NY, 14456	
Statement of evidence - Exposé de la preuve One Toshiba Laptop Serial S/N 78175808W One Compaq Laptop Serial S/N CNP3362GPN One Attache USB Stick 8 gig marked PNY on Cap (black and blue) One Attache USB Stick 4 gig marked PNY on Cap and Back (all black) One Attache USB Stick 2 gig marked OPTIMAPRO (black and yellow) Six CD's (5 staples and 1 compaq) One BELKIN Wireless G Plus MIMO Notebook Card SN 15822C9302697 One Olympus Digital Camera S/N 408242909 One Olympus XD Picture Card S/N <u>MXD16P3K57106SSX30421MAD</u> One Verizon Motorola Cellphone (silver colour)	
<input checked="" type="checkbox"/> The goods described have been seized under section 110(3) of the Customs Act, as it is believed on reasonable grounds that the goods will afford evidence in respect of a contravention of the Customs Act or the regulations.	<input type="checkbox"/> Les marchandises décrites ont été saisies en vertu de l'article 110(3) de la Loi sur les douanes puisqu'il est soupçonné, pour des motifs raisonnables, qu'elles constituent des éléments de preuve par rapport à une infraction à la Loi sur les douanes ou au règlement afférent.
<input type="checkbox"/> The goods described have been seized under section 489(2) of the Criminal Code, as it is believed on reasonable grounds that the goods will afford evidence in respect of an offence against the Criminal Code or any other Act	<input type="checkbox"/> Les marchandises décrites ont été saisies en vertu de l'article 489(2) du Code criminel puisqu'il est soupçonné, pour des motifs raisonnables, qu'elles constituent des éléments de preuve par rapport à une infraction au Code criminel ou toute autre loi du Parlement.
Marie-Josée Vinette (Investigator) Seizing officer - Agent responsable de la saisie	19367 Badge no. - N° de l'insigne

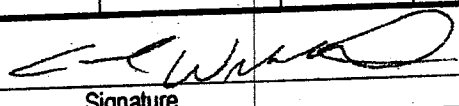
RETURN OF EVIDENCE - RENVOI DE LA PREUVE	
The above evidence was returned on - La preuve susmentionnée a été renvoyée le	
Date	Location - Endroit
Person in receipt of evidence - Personne qui a reçu la preuve	Customs officer - Agent des douanes

U.S. DEPARTMENT OF HOMELAND SECURITY
Bureau of Customs and Border Protection

3563259

CUSTODY RECEIPT for SEIZED PROPERTY and EVIDENCE

Handbook 5200-09

1. FPF No. 2011070800004101		2. Incident No. 2011S2006037201		
3. Investigative Case No. AB070K11AB0006		4. Enforce No. 00000000000000		
5. Prior Detention? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, CBP 6051D No. _____		6. Date Seized (mm/dd/yyyy) 04/01/2011	7. Time Seized (Use 24 Hrs) 1200	
9. Seized From: Name: Joseph Jenkins Address: 4072 Dwyer Lane Geneva, NY 14456 Telephone No. () Ext: _____		10. Entry No.	11. Seal or Other ID Nos. 0740636	
12. Remarks: Replaces Ontario Provincial Police PROPERTY REPORT dated 24 MAY 2009.				
13. Send Correspondence to: _____				
14. PROPERTY (By Line Item) Attach CBP 58 if conveyance				
a. Line Item No.	b. Description	c. Packages Number Type	d. Measurements Qty. UM	e. Est. Dom. Value
001	S/N: 18175808W Toshiba Laptop	1 bs	1 ea	\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
15. Seizing Officer Chad Willard		Signature 		Date 04/01/2011
16. ACCEPTANCE / CHAIN OF CUSTODY				
a. Line Item No.	b. Description	c. Print Name/Title/Organization	d. Signature	e. Date
001	laptop	BRIAN DRAIST SA/HSI	R. D. Braud	7/6/11

CBP Form 6051A Continuation Sheet Attached? Yes ☐ No ☒

CBP Form 6051S (03/04)

CBP Retains Original

U.S. DEPARTMENT OF HOMELAND SECURITY
Bureau of Customs and Border Protection

3563260

(9)

CUSTODY RECEIPT for SEIZED PROPERTY and EVIDENCE

Handbook 5200-09

1. FPF No. 2011070800004101		2. Incident No. 2011S2006037201	
3. Investigative Case No. AB070R11AB00006		4. Enforce No. □□□□□□□□□□	
5. Prior Detention? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, CBP 6051D No. _____		6. Date Seized (mm/dd/yyyy) 04/01/2011	7. Time Seized (Use 24 Hrs) 1200
9. Seized From: Name: <u>Joseph Jenkins</u> Address: <u>4072 Dwyer Lane</u> <u>Geneva, NY 14456</u>		10. Entry No.	11. Seal or Other ID Nos. 0740637
Telephone No. () Ext: _____		12. Remarks: <u>Replaces Ontario Provincial Police</u> <u>PROPERTY REPORT dated 24 MAY 2009.</u>	
13. Send Correspondence to:			

14. PROPERTY (By Line Item) Attach CBP 58 if conveyance

a. Line Item No.	b. Description	c. Packages Number Type	d. Measurements Qty. UM	e. Est. Dom. Value
002	Compag Laptop S/N: CNF33626PN	1 bg.	1 ea.	\$
				\$
				\$
				\$
				\$
				\$
				\$

15. Seizing Officer <u>Chad Willard</u> Print Name	X	<u>[Signature]</u> Signature	<u>04/01/2011</u> Date
--	---	---------------------------------	---------------------------

16. ACCEPTANCE / CHAIN OF CUSTODY

a. Line Item No.	b. Description	c. Print Name/Title/Organization	d. Signature	e. Date
OUT 002	Compag laptop	BRIAN BRAISTED HSI/ SA	Brian D. Braisted	7/6/11

CBP Form 6051A Continuation Sheet Attached? Yes ☐ No ☒

CBP Form 6051S (03/04)

CBP Retains Original

U.S. DEPARTMENT OF HOMELAND SECURITY
Bureau of Customs and Border Protection

3563261

(10)

CUSTODY RECEIPT for SEIZED PROPERTY and EVIDENCE

Handbook 5200-09

1. FPF No. 2011070806004101		2. Incident No. 201152006037201	
3. Investigative Case No. AB070201AB0006		4. Enforce No. □□□□□□□□	
5. Prior Detention? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, CBP 6051D No. _____		6. Date Seized (mm/dd/yyyy) 04/01/2011	7. Time Seized (Use 24 Hrs) 1200
9. Seized From: Name: Joseph Jenkins Address: 4072 Dwyer Lane Geneva, NY 14456 Telephone No. () _____		10. Entry No. 11. Seal or Other ID Nos. 477336, 337, 338	
12. Remarks: Replaces Ontario Provincial Police PROPERTY REPORT dated 24 May 2009			
13. Send Correspondence to:			

14. PROPERTY (By Line Item) Attach CBP 58 if conveyance

a. Line Item No.	b. Description	c. Packages Number	Type	d. Measurements Qty.	UM	e. Est. Dom. Value
003	Attache 8GB Thumbdrive	1	bg.	1	ea	\$
004	Attache 4GB Thumbdrive	1	bg.	1	ea	\$
005	Attache 2GB Thumbdrive	1	bg.	1	ea	\$
006	Olympus Digital Camera	1	bg.	1	ea	\$
007	Verizon Motorola Cellphone	1	bg.	1	ea	\$

15. Seizing Officer Chad Willard	x	04/01/2011
Print Name	Signature	Date

16. ACCEPTANCE / CHAIN OF CUSTODY

a. Line Item No.	b. Description	c. Print Name/Title/Organization	d. Signature	e. Date
3, 4, 5, 6, 7	3 THUMB DRIVES, CAMERA, CELL PHONE	BRIAN BRATZ (SA) (HSI)	B. D. Bratz	7/6/11

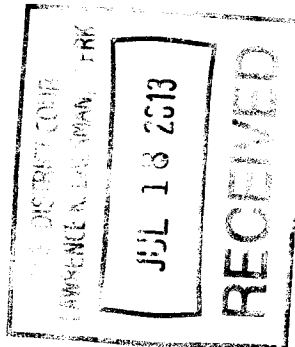
CBP Form 6051A Continuation Sheet Attached? Yes ☐ No ☒

CBP Form 6051S (03/04)

CBP Retains Original

Joseph Jenkins
Inmate Name:

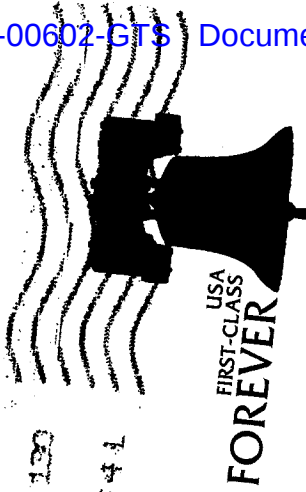
Cayuga County Jail
7445 County House Road
Auburn, New York 13021



Federal District Court
Court Clerk
PO Box 7396
Syracuse, NY 13261

SYRACUSE NY 130

17 JUL 2013 PM 4:1



Legal Mail

13261739696

